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VIA E-FILING

The Honorable Sandra J. Feuerstein
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722-0914

Re: *Marciano v. Schell & Kampeter, Inc. et. al.*
Civil Action No.2: 12-CV-02708-SJF-AKT

Dear Judge Feuerstein:

We write on behalf of all parties to advise that a settlement in principle has been reached in the above-referenced class action. The parties have executed a Memorandum of Understanding memorializing the material terms of the settlement. The parties are currently preparing a comprehensive settlement agreement which will serve as the basis for forthcoming motion practice seeking court approval of the settlement and, ultimately, certification of a settlement class.

A conference is scheduled with the Court on September 11, 2013. Counsel request that the conference take place as scheduled for purposes of advising the Court of the status of the parties' joint efforts to formalize the settlement.

Respectfully submitted,

/s/ Gerard Benvenuto
(Attorney for Defendants)

/s/ Mario Alba Jr.
(Attorney for Plaintiff)